

CITY COUNCIL
CITY OF WICHITA
KANSAS

City Council Meeting
9:00 A.M., June 14, 2005

City Council Chambers
455 North Main

ORDER OF BUSINESS

- Call to Order
 - Invocation
 - Pledge of Allegiance
 - Approve the minutes of the June 7, 2005 regular meeting
-

AWARDS AND PROCLAMATIONS

- Proclamations
-

CONSENT AGENDA

1. Report of the Board of Bids and Contracts Dated June 13, 2005.

RECOMMENDED ACTION: Receive and file report; approve Contracts;
authorize necessary signatures.

2. Application for License.

New Escort Service.

Marvin Gehrke

MG Management

535 South St. Francis

RECOMMENDED ACTION: Approve license subject to Staff review
and approval.

3. Applications for Licenses to Retail Cereal Malt Beverages:

<u>Renewal</u>	<u>2005</u>	<u>(Consumption on Premises)</u>
<u>New Operator</u>	<u>2005</u>	<u>(Consumption off Premises)</u>
Evan Nguyen	Evans Company U.S. Gas and Groceries	801 South Oliver
<u>Special Event</u>	<u>Date</u>	

*General/Restaurant - 50% or more of gross receipts derived from sale of food.

RECOMMENDED ACTION: Approve licenses subject to Staff review and approval.

4. Preliminary Estimates:

- a) 2005 Contract Maintenance Asphalt Mill & Overlay, and Overlay - south of 13th Street North, west of Seneca. (472-84155/132718/620426/665546) Traffic to be maintained during construction using flagpersons and barricades. (Districts IV, V) - \$519,739.60
- b) Lateral 148, Main 4, Sanitary Sewer #23 to serve Walnut Grove Addition - north of 33rd Street North, east of Janette. (468-84008/744116/480804) Traffic to be maintained during construction using flagpersons and barricades. (District VI) - \$6,000.00
- c) 31st Street South and Bonn Storm Water Sewer Improvements - north side of 31st Street South, between Bonn and Hiram. (562-854110/660500/854110) Traffic to be maintained during construction using barricades and flagpersons. (District IV) - \$25,000.00
- d) Temporary Frontage Road for Carmax - south side of Kellogg, east of Webb Road. (472-84141/765929/490042) Traffic to be maintained during construction using barricades and flagpersons. (District II) - \$115,000.00
- e) Glenmoor from the north line of Zimmerly to the south line of Lincoln; Glenmoor Court serving Lots 1 thru 9, Block 4 from the east line of Glenmoor to and including the cul-de-sac; Glenmoor Court serving Lots 13 thru 26, Block 4 from the east line of Glenmoor to and including the cul-de-sac; Sidewalk on one side of Glenmoor from the north line of Zimmerly to the south line of Lot 13, Block 4 to serve Woodland Lakes Estates 3rd Addition - south of Lincoln, west of 127th Street East. (472-83717/765927/490040) Does not affect existing traffic. (District II) - \$354,000.00

RECOMMENDED ACTION: Receive and file.

5. Petitions for Public Improvements.

- a) Paving, Drainage and Water Distribution System Improvements to serve Reed's Cove Addition, south of 21st Street, east of 127th Street East. (District II)

RECOMMENDED ACTION: Approve Petitions and adopt Resolutions.

6. Deeds and Easements:

- a) Sanitary Sewer Easement dated April 26, 2005 from Bill Dean, Owner, Auto trends, over a portion of Lot 3, Vandale, Sedgwick County, Kansas (OCA # 607861) No Cost to City.
- b) Utility Easement dated April 21, 2005 from Twenty First Growth Property, L.L.C. over a tract of land lying in portions of Lots 14 and 15, Block 4, Hawthorne Third Addition, an addition to Wichita, Sedgwick County, Kansas, (OCA# 607861). No Cost to City.
- c) Sanitary Sewer Easement dated May 9th, 2005 from Bill Shook, CEO, American Baptist Estates, Inc., over a portion of Block 2, Garden Villa 5th Addition, Wichita, Kansas, (OCA # 607861). No Cost to City.
- d) Water Easement dated May 9th, 2005 from Bill Shook, CEO, American Baptist Estates, Inc., over a portion of Block 2, Garden Villa 5th Addition, Wichita, Kansas, (OCA# 607861). No Cost to City.
- e) Utility Easement dated April 19, 2005 from George E. Laham, II, President of Gateway Center Addition Master Owner's Association, over a portion of Reserve A, Gateway Center 2nd Addition to Wichita,
- f) Utility Easement dated May 4, 2005 from Vantage Point Waterfront Properties, LLC; Box Development, LLC; KCB, INC, over a portion of Lots 3 and 4, Block 1, The Waterfront Addition, an Addition to Wichita, Sedgwick County, Kansas, being located in the Southwest Quarter of Section 9, Township 27 South, Range 2 East, of the 6th Principal Meridian. (OCA #607861). No cost to City.

RECOMMENDED ACTION: Accept documents.

7. Consideration of Street Closures/Uses.

RECOMMENDED ACTION: Approve the street closures.

8. Contracts & Agreements for May 2005.

RECOMMENDED ACTION: Receive and file.

9. Agreements/Contracts:

- a) City Buildings and Facilities-Americans with Disabilities Act Compliance.
- b) New Marketing Strategy for City activities.
- c) Transportation Services Agreement-City and County re: AirTran Airways, Inc.

RECOMMENDED ACTION: Approve Agreements/Contracts; authorize necessary signatures.

10. Change Orders.

- a) Sierra Hills Addition Improvements, east of 127th Street East, north of Pawnee. (District II)

RECOMMENDED ACTION: Approve the Change Orders and authorize the necessary signatures.

11. Property Acquisition: 2348 South Ellis Street for Pawnee Widening Improvement Project from Washington to Hydraulic. (District III)

RECOMMENDED ACTION: Approve budgets and Contracts; authorize necessary signatures.

12. Lease of Antenna Site on McLean Manor. (District VI)

RECOMMENDED ACTION: Approve the lease and authorize necessary signatures.

13. Internet Crimes Against Children, ICAC Grant.

RECOMMENDED ACTION: Approve the grant award.

14. Amendment to Agreement with CDM on Brooks Landfill Air Permit. (District VI)

RECOMMENDED ACTION: Approve the amendment to the agreement with CDM and authorize the necessary signatures.

15. General Obligation Bond Sale (Series 782), \$13,810,000; General Obligation Bond Sale (Series 782A), \$1,610,000; and General Obligation Temporary Note Sale (Series 214), \$66,180,000.

RECOMMENDED ACTION: Adopt the resolutions authorizing general obligation bond and note sales; approve the submittal of the Preliminary Official Statement upon completion and authorize the publication of the Notice of Sale.

16. Water Rights Conservation Program.

RECOMMENDED ACTION: Authorize Staff to submit the contracts and authorize the necessary signatures.

17. Board Appointments. (The following appointments were made at June 7, 2005 Council Meeting but were not voted on.)

Council Member Brewer Council Member Brewer requested that the following persons be appointed: John Youle, Board of Code Standards & Appeals; Dr. Glen R. Dey, Board of Park Commissioners; Erma Markham, Board of Zoning Appeals; Janet Lloyd-Williams, Cultural Funding Committee; George Platt, Historic Preservation Board; Denise Sherman, Metropolitan Area Planning Commission; Carrie Jones-Williams-Police & Fire Retirement Board of Trustees; Lori Lawrence, Wichita Access Advisory Board; U.L. (Rip) Gooch, Wichita Airport Advisory Board; Bob Alford, Wichita Area Sister Cities Board; Harold Schletwig, Wichita Employee's Retirement Board; Dean Noble, and Wichita Public Building Commission.

The following persons to be appointed to DAB 1:
Debby Moore, Treatha Foster-Brown, Sharon Kay Myers, James Thompson, Gerald Domitrovic, Debra Miller, Lois Tully-Gerber and Steven D. Roberts.

The alternates are Inga Taylor and youth from Wichita Heights High School, Michael Ross.

Council Member Skelton Council Member Skelton requested the following persons be appointed: Bill Ward, Airport Advisory Board; Hoyt Hillman, MAPC; Steven Antimides, BZA; John Kemp, Board of Park Commissioners and Stephanie Mankus, Police & Fire Retirement Trustees.

RECOMMENDED ACTION: Approve the appointments.

18. Second Reading Ordinances: (First read June 7, 2005)

a) Position classification.

An Ordinance establishing position classifications for employees of the City of Wichita and prescribing pay rates by reference to position classifications in the schedule of pay ranges amending Ordinance No. 46-431.

b) ZON 2003-16 and ZON 2003-18 - located east of 135th Street West and on the north side of 13th Street North. (DISTRICT V)

1. An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210. (ZON 2003-16)
2. Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210. (ZON 2003-18)

RECOMMENDED ACTION: Adopt Ordinances.

NEW BUSINESS

19. Extension of IRB Tax Exemption, The Coleman Company. (District I)

On December 9, 1999, City Council approved the issuance of Industrial Revenue Bonds in the amount of \$5.3 million to The Coleman Company. The Coleman Company request the City Council extend the tax exemption to include the second five-years on bond-financed real and property.

RECOMMENDED ACTION: Extend the tax exemption on the Coleman Company's IRB-financed personal property for a one-year period and review further extensions at the end of this year.

20. Extension of IRB Tax Exemption, FlightSafety International. (District V)

On March 9, 1999, City Council approved issuance of Adjustable Mode Facility Refunding and Improvement Revenue Bonds in the amount of \$26,170,000 to FlightSafety International. FlightSafety International requests the City Council extend the tax exemption to include the second five-years on bond-financed real and property.

RECOMMENDED ACTION: Extend the tax exemption on FlightSafety's IRB-financed property for a second five-year period.

21. Extension of IRB Tax Exemption, Lee Aerospace, Inc. (District II)

On June 9, 1999, City Council approved issuance of Industrial Revenue Bonds in the amount of \$4.5 million to Lee Aerospace, Inc. Lee Aerospace, Inc., requests the City Council extend the tax exemption in include the second five-years on bond-financed property.

RECOMMENDED ACTION: Extend the tax exemption on Lee Aerospace's IRB-financed property for a second five-year term.

22. Extension of IRB Tax Exemption, McCormick-Armstrong Co., Inc. (District I)

On July 27, 1999, the City Council approved issuance of Industrial Revenue Bonds in the amount of \$2.3 million to McCormick-Armstrong Co., Inc. McCormick-Armstrong requests the City Council to approve the second five-years of tax exemption on bond-financed property.

RECOMMENDED ACTION: Extend the tax exemption on McCormick-Armstrong's IRB-financed personal property for a one-year period and review the further extensions at the end of this year.

23. Extension of IRB Tax Exemption, Ritchie Companies. (District V)

On August 17, 1999, City Council approved issuance of Industrial Revenue Bonds in the amount of \$3,600,000 to Ritchie Companies. Bond proceeds were used to acquire, construct, and equip a new corporate headquarter's facility located at 2872 N. Ridge Road in northwest Wichita.

RECOMMENDED ACTION: Extend the tax exemption on Ritchie Companies' IRB-financed property for a second five-year term.

24. Wichita Employee's Retirement and Police and Fire Retirement Systems Actuarial Valuation Reports, January 1, 2004 – December 31, 2004, Presentation by the Retirement System's Actuary.

The Board of Trustees for both the Wichita Employee's Retirement (WER) System and the Police and Fire (P&F) Retirement System employ Milliman USA to serve as technical advisor/consultant and to supply the Boards with information relative to actuarial phases of the operations of the Retirement Systems.

RECOMMENDED ACTION: Receive and file the Wichita Employee's Retirement and Police & Fire Retirement Systems Actuarial Valuation Reports, January 1, 2004 – December 31, 2004, as submitted and approve the 2006 employer retirement fund contribution rates.

25. HUD Consolidated Plan-Substantial Amendment.

Staff has prepared a substantial amendment to the 2005/2006 One Year Action Plan to provide funding for building permits for the Harbor House Construction project. The Harbor House provides shelter for domestic violence victims.

RECOMMENDED ACTION: Authorize a 30-day public comment period and approve the substantial amendments subject to citizen comments received.

26. Amendment to parking procedures in Old Town District. (District VI)

The Merchants of Old Town Association (MOTA) has worked with Council Member Fearey and City staff including Police, Traffic Engineering, Law and the City Manager's Office to mitigate parking issues in Old Town particularly congestion during the evening hours.

RECOMMENDED ACTION: Place the ordinance on first reading and authorize the necessary signatures.

PLANNING AGENDA

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

* Consent Items

27. *VAC2004-00064-Request to vacate a portion of platted street right-of-way, multiple platted front setbacks and platted utility easements, generally located north of Central Avenue and west of Tyler Road. (District V)

RECOMMENDED ACTION: Approve the Vacation Order and
authorize the necessary signatures.

28. *VAC2005-00013-Request to vacate the use restrictions listed on the plat for a reserve to allow additional uses, generally located east of Tyler Road and south of 29th Street North, more specifically northeast of the Pepper Ridge Street and Meadow Park Street intersection. (District V)

RECOMMENDED ACTION: Approve the Vacation Order and authorize
the necessary signatures.

29. *VAC2005-00016-Request to vacate a utility easement dedicated by separate instrument, generally located south of Harry Street and west of Southwest Boulevard, more specifically on the southwest corner of Knight and Esthner Avenues. (District IV)

RECOMMENDED ACTION: Approve the Vacation Order and
authorize the necessary signatures.

30. *VAC2005-00018-Request to vacate portions of platted utility easements, generally located on 21st Street North midway between 127th Street East and 143rd Street East, more specifically on the southwest corner of 21st Street North and Clear Creek Street. (District II)

RECOMMENDED ACTION: Approve the Vacation Order and
authorize the necessary signatures.

31. *ZON2005-00014-Zone change from "LC" Limited Commercial to "SF-5" Single-family Residential. Generally located at the northwest corner of 13th Street North and Webb Road. (District II)

RECOMMENDED ACTION: 1. Concur with the findings of the
MAPC and approve the first reading of
the Ordinance establishing the zone change
to Single-family Residential; or
2. Return the application to MAPC for
reconsideration.

32. *CUP2003-00055 & ZON2003-00053-Extension of time to complete platting required for DP-269 Spencer's Cove Commercial Community Unit Plan and a zone change from "SF-5" Single Family Residential to "LC" Limited Commercial, "NR" Neighborhood Retail, and "GO" General Office. Generally located south of 29th Street North and west of Maize Road. (District V)

RECOMMENDED ACTION: Approve extended platting deadline
Of August 17, 2005.

33. *SUB 2005-41-Plat of Regency Park Third Addition, located south of 29th Street North and west of Greenwich Road. (District IV)

RECOMMENDED ACTION: It is recommended that the City Council
approve the documents and plat, adopt the
Resolutions, and authorize the necessary
signatures both as to approval of the plat
and as to the City's ownership interest.

34. *SUB 2005-26-Plat of Goddard School Addition, located south of Maple and on the east side of 167th Street West. (District V)

RECOMMENDED ACTION: Approve the documents and plat, authorize
the necessary signatures and adopt the Resolutions.

35. *DED 2005-15-Dedication of Street Right-of-Way; and DED 2005-16 - Dedication of a Utility Easement, located on the north side of 33rd Street North and west of Arkansas. (District VI)

RECOMMENDED ACTION: Accept the Dedications.

AIRPORT AGENDA

NOTICE: The City Council is meeting as the governing body of the Airport for consideration and action on items on this Agenda, pursuant to State law and City ordinance. The meeting of the Authority is deemed called to order at the start of this Agenda and adjourned at the conclusion.

*Consent items

36. *Midfield Road Site Development, Electrical Service Wichita Mid-Continent Airport.

RECOMMENDED ACTION: Approve the Supplemental Agreement
and authorize the necessary signatures.

37. *Midfield Road Site Development Contract-Rotating Beacon Relocation, Wichita Mid-Continent Airport.

RECOMMENDED ACTION: Approve the contract and authorize the
necessary signatures.

38. *Airfield Pavement, south Air Cargo Apron and related projects, Wichita Mid-Continent Airport.

RECOMMENDED ACTION: Approve the change order; reallocate the funding sources and authorize the necessary signatures.

CITY COUNCIL

39. Board Appointments.

RECOMMENDED ACTION: Make the appointments.

Adjournment

Workshop to follow